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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/672,476	09/28/2000	Michihiro Ota	80376	8514

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EXAMINER

BORISSOV, IGOR N

ART UNIT PAPER NUMBER

3639

DATE MAILED: 12/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/672,476

Applicant(s)

OTA ET AL.

Examiner

Igor Borissov

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 26-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 26-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Amendment received on 10/17/2005/2005 is acknowledged and entered. Claims 1-25 have been previously canceled. Claims 26, 36 and 37 have been amended. Claims 26-47 are currently pending in the application.

Claim Objections

Claims 31, 32, 41, 42, 46 and 47 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim should refer to other claims in the alternative only. See MPEP § 608.01(n). Accordingly, the claims 31, 32, 41, 42, 46 and 47 have not been further treated on the merits.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 26, 28, 29, 30, 38, 40, 41 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kato (H8-153248) in view of Kolls (US 6,643,623).

As per claim 26 and 36,

Japanese Unexamined Patent Publication No. H8-153248 (Kato) teaches (See English translation enclosed) a method and system for remote authorization of a transaction at a vending machine, wherein, a consumer who desires to obtain a service or product from a vending machine, transmits via a portable telephone a vending machine designated code and a consumer individual identification code to said vending machine; the vending machine transmits said information to a central controller; the central controller judges the individual identification code by judgment means; and, as a

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result of the judgment, when sales to the user of said identification code are possible, a sales authorization signal is transmitted to the vending machine to which said designated code pertains. The controller records the sales amount for each individual identification code [0007]; [0008].

Kato does not specifically teach that information presented to the user by said vending machine includes *point* information. Also, Kato does not specifically teach *encrypting* transmitted information.

Kolls teaches a method and system for remote authorization of a transaction at a vending machine, comprising validating the transaction at a remote location 606 by way of a system 500, network 600 and PC 630, and, if the result of validation is affirmative, approving a customer and activating said vending machine (C. 28, L. 40-58), wherein said vending machine is adapted to present to the customer credits accrued (C. 38, L. 32-47), and wherein said customer is communicated with said remote location via a wireless telephone (C. 5, L. 39-52). Furthermore, Kolls teaches a provision for encrypting and decrypting of transaction data (C. 27, L. 44-46).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Kato to include that said vending machine includes *point* information, as disclosed in Kolls, because it would advantageously allow to generate additional advertising revenue, as specifically indicated in Kolls (C. 38, L. 45-47). And it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Kato and Kolls to include encrypting said transaction information, as disclosed in Kolls, because it would advantageously allow to provide a secure transaction environment (Kolls; C. 27, L. 45).

As per Claims 28 and 38, Kolls teaches printing out the point information from the point issuing device (C. 17, L. 22-30). The motivation to combine references would be to advantageously provide the user with a hard copy of said information, thereby allowing to prove the request if needed.

As per claims 29-30 and 40-41, See reasoning applied to Claims 26 and 36.

Claims 33-35, and 43-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kato in view of Kolls and further in view of Deaton et al. (US 6,292,786).

As per claims 34-35 and 44-45, Kolls teaches displaying accrued credits for the customer, thereby indicating managing a status of use of the system by the consumer (C. 38, L. 38).

However, Kato and Kolls does not specifically teach that said managing a status of use of the system by the consumer, and presenting said point information to the consumer is in response to a request from the consumer.

Deaton et al. (Deaton) teaches a method and system for operating point-of-sale terminals, wherein the presentation of information is performed by printing out said information on a prescribed form from said point issuing device (column 6, lines 27-29; column 16, lines 16-20), and wherein said center device permits the user to read point information stored and managed for said user in response to a request from said user (C. 32, L. 41).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Kato and Kolls to include that said presenting said point information to the consumer is conducted in response to a request/identification from the consumer, as disclosed in Deaton, because it would advantageously enhance the security of the system.

Claims 27 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kato in view of Kolls and further in view of Nakajima et al. (US 4,636,963).

As per claims 27 and 37, Kato and Kolls teach all the limitations of claims 27 and 37, except specifically teaching: *setting a display unit based on a return signal issued by operation of a return lever of said vending machine; setting a timer for counting a predetermined time based on the return signal; displaying point information based on a money collecting signal; and erasing the display of the point information*

based on when the return signal is reissued by re-operation of the return lever or when the timer times out.

Nakajima et al. (Nakajima) teaches a control system and method for an automatic vending machine, including a switch (return lever), a timer and a display; wherein, in response to activation of said switch (return lever), information related to gross sales and accumulated discounts (points) is displayed; and wherein said vending machine is reset into the original mode if said switch not being actuated for a predetermined time period (column 7, lines 4-34; column 13, line 44 – column 14, line 43).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Kato and Kolls to include that, in response to activation of said switch (return lever), information related to gross sales and accumulated discounts (points) is displayed; and wherein said vending machine is reset into the original mode if said switch not being actuated for a predetermined time period, as disclosed in Nakajima, because it would advantageously provide a customer with information related to accumulated discounts (points) during a transaction, and would preserve the confidentiality of said information by clearing up the display after the predetermined time period if said customer forgets to cancel the transaction.

Response to Arguments

Applicant's arguments with respect to Claims 26-47 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure (see form PTO-892).

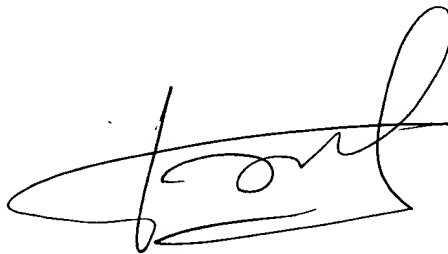
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Igor Borissov whose telephone number is 571-272-6801. If attempts to reach the examiner by telephone are unsuccessful, the examiner's

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supervisor, John Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Igor Borissov
Patent Examiner
Art Unit 3639

A handwritten signature in black ink, appearing to read 'Igor Borissov', with a large, stylized loop at the end.

IB

12/16/2005